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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WINNEMUCCA INDIAN COLONY, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA *ex rel.*
THE DEPARTMENT OF THE INTERIOR,
et al.,

Defendant.

Case No. 3:11-CV-00622-RCJ-CBC

**GOVERNMENT'S UNOPPOSED
MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFFS'
MOTION FOR ATTORNEYS' FEES AND
EXPENSES (ECF NO. 305)**

(FIRST REQUEST)

EXPEDITED REVIEW REQUESTED

COME NOW Defendants United States of America, Department of the Interior, Bureau of Indian Affairs, *et al.* ("Defendants") and request a 24-day extension of time to file their response to Plaintiffs' motion for attorneys' fees and expenses (ECF No. 305) from the current due date of October 26, 2018 to November 19, 2018.

An extension is needed because two attorneys recently resigned from the United States Attorney's Office in Las Vegas and, as a result, defense counsel has been assigned to handle additional duties and cases. Also, defense counsel was recently out of the office to visit her 93-year old father, whose health has declined. Under the circumstances, good cause exists to extend the deadline for responding to Plaintiff's motion for attorneys' fees and expenses. *See* Fed. R. Civ. P. 6(b)(1)(A) ("When an act may or must be done within a specified time, the court may, *for good cause*, extend the time...with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires[.]") (emphasis added).

1 Defense counsel contacted Plaintiffs' counsel via e-mail, and Plaintiffs' counsel advised
2 that she does not object to Defendants' extension request. This is Defendants' first extension
3 request. *See* LR IA 6-1 (must advise of previous extensions). Defendants seek this extension
4 request in good faith and not for the purpose of delay.

5 DATED: October 22, 2018.

Respectfully submitted,

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7 DAYLE ELIESON
United States Attorney

8 s/ Holly A. Vance
9 HOLLY A. VANCE
Assistant U.S. Attorney

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12 IT IS SO ORDERED.

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14 DATED: October 24, 2018.

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17 United States Magistrate Judge
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